

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-CV-612-D

JUSTIN J. WHITE,

Plaintiff,

v.

NC SPECIAL POLICE, LLC,

Defendant.

ORDER

On February 25, 2021, defendant moved to dismiss plaintiff's amended complaint [D.E. 14] and filed a memorandum in support [D.E. 15]. See Fed. R. Civ. P. 12(b)(6). On April 2, 2021, plaintiff responded in opposition [D.E. 20]. On April 16, 2021, defendant replied [D.E. 21].

The court has reviewed defendant's motion to dismiss under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555–63, 570 (2007); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd, 566 U.S. 30 (2012); Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255–56 (4th Cir. 2009); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). Plaintiff's claims eke across the plausibility line. Whether the claims will survive a motion for summary judgment is an issue for another day.

In sum, the court DENIES defendant's motion to dismiss the amended complaint [D.E. 14].

SO ORDERED. This 5 day of May 2021.


JAMES C. DEVER III
United States District Judge